

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: FOSAMAX (ALENDRONATE SODIUM)  
PRODUCTS LIABILITY LITIGATION (NO. II)

MDL No. 2243

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On May 23, 2011, the Panel transferred 10 civil action(s) to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. See F.Supp.2d (J.P.M.L. 2011). Since that time, no additional action(s) have been transferred to the District of New Jersey. With the consent of that court, all such actions have been assigned to the Honorable Garrett E Brown, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Brown.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of New Jersey for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable Garrett E Brown, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.
Jun 02, 2011
CLERK'S OFFICE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

FOR THE PANEL:

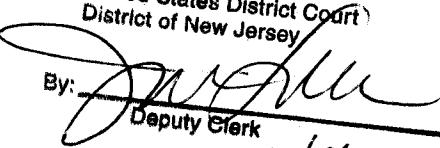


Jeffery N. Lüthi

Clerk of the Panel

I HEREBY CERTIFY that the above and  
foregoing is a true and correct copy of  
the original on file in my office.  
ATTEST

WILLIAM T. WALSH, Clerk  
United States District Court  
District of New Jersey

By:  
  
Deputy Clerk

6/8/11

**IN RE: FOSAMAX (ALENDRONATE SODIUM)  
PRODUCTS LIABILITY LITIGATION (NO. II)**

MDL No. 2243

**SCHEDULE CTO-1 – TAG-ALONG ACTIONS**

**DIST    DIV.    C.A.NO.    CASE CAPTION**

ALABAMA MIDDLE

ALM        2        11-00346        Barnes v. Merck Sharp & Dohme Corp., et al        Opposed 6/2/2011

COLORADO

CO        1        11-01050        Sunshine et al v. Merck & Co., Inc. et al

DISTRICT OF COLUMBIA

DC        1        11-00652        DAVIS et al v. MERCK SHARP & DOHME CORP.

GEORGIA SOUTHERN

GAS        4        11-00118        Sutton et al v. Merck & Co., Inc.

LOUISIANA EASTERN

LAE        2        11-00883        Naccio v Merck Sharp & Duhme Corp, et al

NEW YORK EASTERN

NYE        2        11-01847        Langone et al v. Merck Sharp & Dohme Corp. et al

NEW YORK SOUTHERN

NYS        1        11-02866        Feuerwerker et al v. Merck & Co., Inc.  
NYS        1        11-03373        Granato et al v. Merck Sharp & Dohme Corp.

OHIO NORTHERN

OHN        1        11-00922        Jeffries v. Merck, Sharpe & Dohme